

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CASE NO. 5:20-cv-00035-M


JOSE PEREZ SANTIAGO,)
Plaintiff,)
v.)
COMMISSIONER OF SOCIAL)
SECURITY,)
Defendant.)

ORDER

This case is before the Court on Plaintiff Jose Perez Santiago's failure to respond to the Court's Order and Notice of Deficiency [DE 4]. On February 18, 2020, the Court directed Plaintiff to cure several deficiencies in his filings no later than March 3, 2020. Plaintiff has not timely responded and has not otherwise prosecuted this action.

Rule 41(b) of the Federal Rules of Civil Procedure authorizes the Court to dismiss an action for failure to prosecute, comply with the rules, or comply with a court order. "The authority of a court to dismiss sua sponte for lack of prosecution has generally been considered an inherent power, governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases." *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (internal quotations omitted); *see also Attkisson v. Holder*, 925 F.3d 606, 625 (4th Cir. 2019) (citing the same). Because Plaintiff has failed to respond to this Court's Order or demonstrate good cause for his failure to do so, Plaintiff's complaint is hereby DISMISSED WITHOUT PREJUDICE.

SO ORDERED this the 10th day of March, 2020.


RICHARD E. MYERS II
U.S. DISTRICT COURT JUDGE